

**CR-1441-2019****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****(121)****CR-1441-2019****Date of Decision: - 12.09.2025****Hukamjit Singh****....Petitioner****Versus****Gulshan Kumar since deceased through LRs and another****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Vishal Mittal, Advocate
for the petitioner.

Mr. Sandeep Khunger, Advocate,
Ms. Sudrishti, Advocate,
Ms. Srishti, Advocate, and
Mr. Kanwar Shahbaz, Advocate
for respondent No.1.

**********VIKAS BAHL, J. (ORAL)**

1. Present civil revision petition has been filed against the order dated 20.09.2018 (Annexure P-8) passed by the Civil Judge (Sr. Division), Sri Muktsar Sahib along with the subsequent proceedings arising therefrom.

2. Learned counsel for respondent No.1 has raised preliminary objections. It is submitted that the petitioner/Hukamjit Singh along with Sukhdev Singh, who is the father of the petitioner/Hukamjit Singh, had filed CMA-75/2018 challenging the impugned order dated 20.09.2018

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and in the said appeal, the following order was passed on 05.10.2018:-

“Present:- Shri Manjinder Singh Brar, Advocate for appellant.

Civil appeal received by way of entrustment. It be registered. Along-with appeal an application is filed for entering the appeal without certified copy of order dated 20.09.2018 i.e., under appeal and granting 10 days time to submit certified copy. Keeping in view the submissions made in the application, certified copy of order dated 20.09.2018 be filed on 15.10.2018.

Date of Order:-05.10.2018

*(Kawaljit Singh),
Additional District Judge
Sri Muktsar Sahib
(UID No. PB0155).”*

3. Learned counsel for respondent No.1 has submitted that without disclosing the said fact, the present revision petition under Article 227 of the Constitution of India has been filed and in the petition, it has been mentioned in paragraphs 9 and 10 that the petitioner has not filed any such or similar petition and that the petitioner is left with no other remedy of appeal etc. except to approach this Court. It is further submitted that the said act amounts to active concealment and the petitioner has apparently tried to overreach the Court. It is highlighted that on 21.08.2019 notice of motion was issued in the present revision petition and further sale proceedings were ordered to be stayed and that thereafter on 19.11.2019, since there was a stay granted by the Co-ordinate Bench of this Court, who was not informed about the fact that an appeal had already been filed against the impugned order, the present petitioner withdrew the appeal on 19.11.2019. It is submitted that vide the impugned order dated 20.09.2018, the objection of the present petitioner

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had been dismissed and the sale in favour of the auction purchaser had been confirmed and thus, the said order was an order under Order 21 Rule 92 CPC, which is appealable under Rule 43(1)(j) CPC and thus, even the factum that there is no alternative remedy as stated in the present revision petition is contrary to the provisions of law.

4. Learned counsel for the petitioner, in view of the above, seeks to withdraw the present revision petition.

5. Dismissed as withdrawn, as prayed for.

September 12, 2025*naresh.k***(VIKAS BAHL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No